

1 WALTER H. SWAYZE III, ESQ. (*pending pro hac vice*)
Pennsylvania Bar No. 0059101

2 Pete.Swayze@LewisBrisbois.com
LEWIS BRISBOIS BISGAARD & SMITH LLP
3 550 E. Swedesford Road, Suite 270
Wayne, PA 19087
4 TEL: (215) 977-4089
FAX: (215) 977-4101

5 DARRELL D. DENNIS, ESQ.
Nevada Bar No. 006618
6 Darrell.Dennis@lewisbrisbois.com
LEWIS BRISBOIS BISGAARD & SMITH LLP
7 6385 S. Rainbow Boulevard, Suite 600
8 Las Vegas, Nevada 89118
TEL: 702.893.3383
9 FAX: 702.893.3789

10 BRANDON D. WRIGHT, ESQ.
Nevada Bar No. 13286
11 Brandon.Wright@lewisbrisbois.com
LEWIS BRISBOIS BISGAARD & SMITH LLP
12 5555 Kietzke Lane, Suite 200
Reno, Nevada 89511
13 TEL: 775.827.6440
FAX: 775.827.9256
14 *Counsel for Defendants, DJO Global, Inc.*
Encore Medical L.P. d/b/a DJO Surgical
15 *DJO, LLC*

16 UNITED STATES DISTRICT COURT

17 DISTRICT OF NEVADA

18 DEBRA GREGOIRE

19 Plaintiff,

20 vs.

21 BIOMET, INC.; BIOMET
ORTHOPEDICS, LLC, F/K/A BIOMET
22 ORTHOPEDICS, INC.; DJO GLOBAL,
INC.; ENCORE MEDICAL, L.P. D/B/A
23 DJO SURGICAL; DJO, LLC.

24 Defendants.

CASE NO. 3:20-cv-00077-MMD-CLB

**STIPULATION OF VOLUNTARY
DISMISSAL PURSUANT TO F.R.C.P. 41
(a)(1)(A)(ii)**

25 IT IS HEREBY STIPULATED AND AGREED by and between the parties to this
26 Stipulation, Plaintiff and DJO Global, Inc., and their respective counsel, that the above-captioned
27 action is voluntarily dismissed, without prejudice, against the Defendant, DJO Global, Inc.,
28 pursuant to Federal Rule of Civil Procedure 41 (a)(1)(A)(ii). It is further stipulated and agreed

that the undersigned counsel for DJO Global, Inc. agrees that DJO Global, Inc. will not raise any statute of limitations defense(s) for the causes of action stated in Plaintiff's First Amended Complaint should Plaintiff seek to timely amend her Complaint to join DJO Global, Inc. at a later date during the pendency of this litigation. The Parties agree that DJO Global, Inc. does not waive or release any statute of limitations defenses which could have been asserted prior to the filing of the original Complaint (ECF No. 1). The Parties further agree that should Plaintiff move to amend to add the dismissed party, DJO Global, Inc., Plaintiff will move to amend in advance of the discovery cutoff date or equivalent discovery deadline.

<p>Dated this 28th day of May, 2020.</p> <p>HUTCHISON & STEFFEN, PLLC</p> <p><u>/s/ Devon T. Reese</u> DEVON T. REESE Nevada Bar No. 7496 JASON D. GUINASSO Nevada Bar No. 8478 ALEX R. VELTO Nevada Bar No. 14961 500 Damonte Ranch Parkway, Suite 980 Reno, Nevada 89521 <i>Attorney for Plaintiff</i></p>	<p>Dated this 28th day of May, 2020.</p> <p>BEASLEY, ALLEN, CROW, METHVIN, PORTIS & MILES, P.C.</p> <p><u>/s/ W. Roger Smith, III</u> W. ROGER SMITH, III WESLEY CHADWICK COOK RYAN J. DUPLCHIN 218 Commerce St. Montgomery, Alabama 36104 <i>Counsel for Plaintiff (Pro Hac Vice Pending)</i></p>
<p>Dated this 28th day of May, 2020.</p> <p>LEWIS BRISBOIS BISGAARD & SMITH LLP</p> <p><u>/s/ Brandon D. Wright</u> DARRELL D. DENNIS Nevada Bar No. 006618 BRANDON D. WRIGHT Nevada Bar No. 13286 5555 Kietzke Lane, Suite 200 Reno, Nevada 89511 <i>Counsel for Defendants, DJO Global, Inc. Encore Medical L.P. d/b/a DJO Surgical DJO, LLC</i></p>	<p>Dated this 28th day of May, 2020.</p> <p>LEWIS BRISBOIS BISGAARD & SMITH LLP</p> <p><u>/s/ Walter H. Swayze, III</u> WALTER H. SWAYZE, III Pennsylvania Bar No. 0059101 550 E. Swedesford Road, Suite 270 Wayne, PA 19087 <i>Counsel for Defendants, DJO Global, Inc Encore Medical L.P. d/b/a DJO Surgical DJO, LLC (Pro Hac Vice Pending)</i></p>

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5/29/2020

**LEWIS
BRISBOIS
BISGAARD
& SMITH LLP**
ATTORNEYS AT LAW